

**United States Bankruptcy Court
Southern District of New York**

In re **BYRAM CONCRETE & SUPPLY INC.**

Debtor(s)

Case No. **09-22037**Chapter **11**

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

1. Income from employment or operation of business

None



State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$267,386.00	YTD
\$20,479,062.00	2008 (may include revenue from Byram Ready Mix)
\$19,242,447.00	2007

2. Income other than from employment or operation of business

None



State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT
\$14,500.00

SOURCE
INSURANCE CLAIM

\$158,972.00

FIRE INSURANCE CLAIM

3. Payments to creditors

None



Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF CREDITOR

DATES OF
PAYMENTS

AMOUNT PAID

AMOUNT STILL
OWING

None



b. *Debtor whose debts are not primarily consumer debts:* List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF
PAYMENTS/
TRANSFERS

AMOUNT
PAID OR
VALUE OF
TRANSFERS
\$5,155,866.50

AMOUNT STILL
OWING
\$0.00

LIST ATTACHED FOR PAYMENT TO CREDITORS

None



c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND
RELATIONSHIP TO DEBTOR

DATE OF PAYMENT
over previous year

AMOUNT PAID
\$2,895.10

AMOUNT STILL
OWING
\$385,642.42

LEONARD LUISO
11 MILLER CIRCLE
ARMONK, NY 10504
President and Shareholder

JOANNE LUISO
11 KINGS PARK DRIVE
RYE BROOK, NY 10573
Mother of President

\$20,549.56

\$345,479.08

JOANNE LUISO
11 KINGS PARK DRIVE
RYE BROOK, NY 10573
Mother of President

1/12/2008 - 1/4/08 (salary)

\$90,191.95

\$0.00

Byram

Payments to Creditors - 90 days before filing

threshold amt 5,475

Creditor	Street Address	City, State, Zip	Total
All Points Capital	265 Broadhollow Road, 4th Floor	Melville, NY 11747	\$ 7,898.90
American Express	P.O. Box 2855	New York, NY 10116-2855	\$ 54,020.00
Artic Glasier	1654 Marthaler Lane	West St Paul, MN 55118	\$ 7,590.00
Ashby Fuel	99 Beechwood Avenue	New Rochelle, NY 10801	\$ 278,071.59
BASF Admixtures	24503 Network Place	Chicago, IL 60673-1245	\$ 90,830.96
BNY Leasing	Account Services, 1111 Old Eag	Wayne, PA 19087	\$ 12,479.66
Brian Hoch	3 Barker Avenue	White Plains, NY 10601	\$ 23,106.95
Broadway Premuim Funding	100 Broadway, 3rd floor	New York, NY 10005	\$ 31,277.48
Citibank/CC Fees	450 Mamaroneck Avenue	Harrison, NY 10528	\$ 157,336.89
Colucci Assoc.	601 Halstead Ave, PO Box 177	Mamaroneck, NY 10543	\$ 12,661.90
Command Alkon	P.O. Box 11407	Birmingham, AL 35246-0645	\$ 22,246.54
Con Edison	Cooper Station, P.O. Box 138	New York, NY 10276-0138	\$ 12,065.81
Cummins Power Systems	Bronx Branch, 890 Zerega Ave.	Bronx, NY 10473	\$ 30,607.74
EBS, consulting fee	46 Radcliff Drive	Huntington, NY 11743	\$ 6,000.00
Essex Cement	PO Box 651036	Charlotte, NC 28265	\$ 182,075.26
F&R Industries	50 Peconic Ave	Medford, NY 11763	\$ 35,386.30
Holcim (St Lawrence)	PO Box 8500-6930	Philadelphia, PA 19178-6930	\$ 687,599.76
Keane & Beane	445 Hamilton Avenue, 15th fl.	White Plains, NY 10601	\$ 12,500.00
Lafarge	PO Box 13682	Newark, NJ 07188	\$ 70,778.27
Local 137 Joint Fund	1360 Pleasantville Rd.	Briarcliff Manor, NY 10510	\$ 40,695.37
Marquis Associates	56 Lafayette Ave.	N. White Plains, NY 10603	\$ 17,794.34
MAT Enterprises	PO Box 277	Garnerville, NY 10923	\$ 57,386.20
Material Logistics	PO Box 790008	Middle Village, NY 11379	\$ 13,947.38
Mericap Credit Corp	PO Box 730547	Dallas, TX 75373-0547	\$ 12,884.80
Metro Truck & Tire	3433 Delaval Ave.	Bronx, NY 10475	\$ 17,239.07
Miles Rostek	440 North Main Street	Portchester, NY 10573	\$ 12,000.00
N & T Repairs	33-30 127 Street	Corona, NY 11368	\$ 63,548.36
Nat. Gear & Piston	225 Fourth Ave.	Mt. Vernon, NY 10550-3005	\$ 15,706.88
National City Commerical	PO Box 931034	Cleveland, OH 44193-004	\$ 11,787.16
New Computers	350 Lexington Ave, Suite 1001	New York, NY 10016	\$ 9,120.24
New York Sand & Stone	63 Flushing Ave., Unit 311	Brooklyn, NY 11205	\$ 107,420.00
North Broadway Auto	546 N. Broadway	White Plains, NY 10603	\$ 15,991.24
Northeast Solite	PO Box 437	Mt. Marion, NY 124565	\$ 38,054.14
NW Pension c/o Danzinger mark	123 Main St	White Plains, NY 10601	\$ 13,281.32
NYS Sales Tax	PO Box 1209	New York, NY 10016-1209	\$ 89,682.69
One Edison Ave Corp	PO Box 3409	Mt. Vernon, NY 10553-3409	\$ 40,000.00
Oshkosh Truck Sales	14201 Collections Center Dr.	Chicago, IL 60693	\$ 13,875.80
OshKosh/McNeilus Financial	7739 Collections Center Dr.	Chicago, IL 60693	\$ 74,989.58
Oxford Health Plans	PO Box 1697	Newark, NJ 07101-1368	\$ 39,212.55
Payroll - Byram	56 Lafayette Ave.	White Plains, NY 10603	\$ 1,144,347.03
Peckham	PO Box 13783	Newark, NJ 07188-3783	\$ 40,209.26
Putnam Stone & Mason	301 Route 52	Carmel, NY 10512	\$ 21,000.00
Ranco	151 South Street	Manorville, NY 11949	\$ 11,131.67
Rattet, Pasternak	550 Mamaroneck Ave., Suite 510	Harrison, NY 10528	\$ 55,000.00
RFY	601 Halstead Ave, PO Box 177	Mamaroneck, NY 10543	\$ 13,000.00
Safeco Business Insurance	PO Box 66768	St. Louis, MO 63166	\$ 111,144.55
Sprint	PO Box 4181	Carol Stream, IL 60197-4181	\$ 8,200.93
State Insurance Fund	PO Box 4788	Syracuse, NY 13221	\$ 32,714.21
Tilcon	PO Box 34550	Newark, NJ 07189-4550	\$ 492,076.82
Town Of North Castle	17 Bedford Road	Armonk, NY 10504	\$ 9,339.00
Verizon	PO Box 619009	DFW Airport, Tx 75261-9009	\$ 10,145.39
Vernon Realty	PO Box 6215	Astoria, NY 11106	\$ 84,000.00
Virginia Road	601 Halstead Ave, PO Box 177	Mamaroneck, NY 10543	\$ 43,000.00
W. R. Grace	PO Box 96160	Chicago, IL 60693	\$ 14,678.75
West Shore	PO Box 2002	Holtsville, NY 11742	\$ 397,627.32
West. Team. Local 456	160 Central Avenue	Elmsford, NY 10523	\$ 229,100.44

\$ 5,155,866.50

4. Suits and administrative proceedings, executions, garnishments and attachments

- None ☐ a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
Bilotta Construction Corp. v. Byram Concrete and Supply, Inc. Index No. 1010/2008	Breach of Contract and/ Negligence	New York State Supreme Court, Putnam County	Awaiting transfer of Venue to Westcheser County
Almeida Oil Co., Inc. v. Byram Concrete & Supply, Inc. and Leaonard J. Luiso, Individually Index No. 06- 24634		New York State Supreme Court, Westchester County	Discovery Complete, awaiting filing of Note of Issue
South Street Materials, Inc. and Byram Concrete & Supply, Inc. v. HVA Realty LLC et al. Index No. 18410/08	Mechanic's Lien Foreclosure action	New York State Supreme Court, Westchester County	Pending
Byram Concrete & Supply, Inc. and Byram Redi Mix, Inc. v. City of New Rochelle, Frank Tricarico Contractors, Inc. and Frank Tricarico. Index No. 4331/09	Collection Action	New York State Supreme Court, County of Westchester	Pending
Byram Concrete & Supply, Inc. v. The Osborn, Kreisler Borg Florman General Construction Co., Inc. et al. Index No. 19652/02	Collection Action	New York State Supreme Court, County of Westchester	Ready for Trial

- None ☒ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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5. Repossessions, foreclosures and returns

- None ☒ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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6. Assignments and receiverships

- None ☒ a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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- None ☒ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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7. Gifts

- None ☐ List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION LIST ATTACHED FOR GIFTS	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT 8,045
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8. Losses

- None ☒ List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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9. Payments related to debt counseling or bankruptcy

- None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Rattet Pasternak & Gordon Oliver LLP 550 Mamaroneck Avenue Harrison, NY 10528	12/30/08	\$10,000
Rattet Pasternak & Gordon Oliver, LLP 550 Mamaroneck Avenue Harrison, NY 10528	1/7/09	\$46,000

10. Other transfers

- None ☐ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
Alex Lyon & Son Sales Mngr and Auction Route 2 P.O. Box 610 Bridgeport, NY 13030	2/1/2008	9 Trucks Sold, \$135,000

Byram**Gifts within 1 year**

Name	Street Address	City, State, Zip	Amount
AC Villa Soccer Club	140 Fairfax Avenue	Hawthorne, NY 10532	250
Baldricks	1443 E. Washington Boulevard, #650	Pasadena, CA 91104-2650	100
banksville Community House	12 Banksville Road	Greenwich, CT 06831-2727	25
Columbus Day Celebration	648 Scarsdale Road	Yonkers, NY 10707	125
Cystic Fibrosis Foundation	6931 Arlington Road	Bethesda, Md 20814	200
Dominican College	470 Western Highway	Orangeburg, NY 10962	1,000
Edward & Mary Doyle Fund	PO Box 511	Elmsford, NY 10523	600
Friends of Andy Spano	PO Box 1105	Yorktown Heights, NY 10598	800
Historical Hudson Valley	150 White Plains Road	Tarrytown, NY 10591	900
Iona Grammar School	173 Stratton Road	New Rochelle, NY 10804	250
Jennifer Fante Foundation	PO Box 116	Thornwood, NY 10594	1,070
Kiwanis Club of Mamaroneck	PO Box 18	Mamaroneck, NY 10543	175
March for Babies	153 Broadway	Hawthorne, NY 10532	300
North White Plains	621 N. Broadway	N. White Plains, NY 10603	250
NYSTLA Journal AD	1 Prospect Avenue	White Plains, NY 10607	150
Our Lady of Sorrows	PO Box 177	Mamaroneck, NY 10543	350
Pedro Santos	147 Broadway	Hawthorne, NY 10532	200
St Joseph Health Fund	127 South Broadway	Yonkers, NY 10701	750
Town of North Castle	PO Box 659	Armonk, NY 10504	250
Westchester Judo Club	1495 Weaver St	Scarsdale, NY 10583	150
WPCATSH	21 Bedford Road	Armonk, NY 10504	150
Total			<u>8,045</u>

- None ☒ b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE	DATE(S) OF TRANSFER(S)	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY
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11. Closed financial accounts

- None ☒ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
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12. Safe deposit boxes

- None ☒ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
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13. Setoffs

- None ☒ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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14. Property held for another person

- None ☒ List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
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15. Prior address of debtor

- None ☐ If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
77 LAFAYETTE AVENUE WHITE PLAINS, NY 10603		

16. Spouses and Former Spouses

- None ☐ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

- None ☐ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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- None ☐ b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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- None ☐ c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
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18. Nature, location and name of business

None

- ☒ a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN		ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
NAME				

None

- ☒ b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME	ADDRESS
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The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

*(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)*

19. Books, records and financial statements

None

- ☐ a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS	DATES SERVICES RENDERED
TERRY SOLAZZO NY	BYRAM CONTROLLER
EUGENE DEFINA NY	BYRAM CONTROLLER
JONATHAN FIELD NY	BYRAM CONTROLLER
JOHN PALMA NY	BYRAM CONTROLLER

None

- ☐ b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME	ADDRESS	DATES SERVICES RENDERED
COLUCCI ASSOCIATES	601 HALSTEAD AVENUE P.O. BOX 177 MAMARONECK, NY 10543	AUDITOR

- None ☐ c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME
COLUCCI ASSOCIATES

ADDRESS
**601 HALSTEAD AVENUE
P.O. BOX 177
MAMARONECK, NY 10543**

TERRY SOLAZZO

- None ☐ d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS
**CITIBANK
450 MAMARONECK AVENUE
WHITE PLAINS, NY 10603**

DATE ISSUED
FINANCIAL STATEMENTS ISSUED MONTHLY

20. Inventories

- None ☒ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY	INVENTORY SUPERVISOR	DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis)
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- None ☒ b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY	NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY RECORDS
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21. Current Partners, Officers, Directors and Shareholders

- None ☒ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS	NATURE OF INTEREST	PERCENTAGE OF INTEREST
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None ☐ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS	TITLE	NATURE AND PERCENTAGE OF STOCK OWNERSHIP
LEONARD LUISO	President	100%

22. Former partners, officers, directors and shareholders

- None ☒ a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME	ADDRESS	DATE OF WITHDRAWAL
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- None ☒ b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS	TITLE	DATE OF TERMINATION
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23 . Withdrawals from a partnership or distributions by a corporation

None ☐ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS
OF RECIPIENT,
RELATIONSHIP TO DEBTOR
LEONARD LUISO
11 MILLER CIRCLE
ARMONK, NY 10504
President and Shareholder

DATE AND PURPOSE
OF WITHDRAWAL
Salary

AMOUNT OF MONEY
OR DESCRIPTION AND
VALUE OF PROPERTY
\$198,761.58

24. Tax Consolidation Group.

None ☒ If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

25. Pension Funds.

None ☐ If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND
BYRAM CONCRETE & SUPPLY, INC.
INCENTIVE SAVINGS TRUST

TAXPAYER IDENTIFICATION NUMBER (EIN)
EIN TAX ID 13-3019447
TRUST ID 20-2174477

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date **February 13, 2009**

Signature **/s/ LEONARD J. LUISO**
LEONARD J. LUISO
PRESIDENT

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

**United States Bankruptcy Court
Southern District of New York**

In re BYRAM CONCRETE & SUPPLY INC.

Debtor(s)

Case No. 09-22037

Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept.....	\$	<u>55,000.00</u>
Prior to the filing of this statement I have received.....	\$	<u>55,000.00</u>
Balance Due	\$	<u>0.00</u>

2. \$ 0.00 of the filing fee has been paid.
3. The source of the compensation paid to me was:
- ☒ Debtor ☐ Other (specify):
4. The source of compensation to be paid to me is:
- ☒ Debtor ☐ Other (specify):
5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
- ☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
 - c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
 - d. [Other provisions as needed]
7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: February 13, 2009

/s/ Robert L. Rattet

Robert L. Rattet 2947
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Harrison, NY 10528
(914) 381-7400 Fax: (914) 381-7406